

Dear FCC:I am the Mayor of a small Texas city. As you are aware the State of Texas has passed a law (S.B. 5)that will require all cities to have their Cable company franchise agreements negotiated by the state. It will be Codified in Chapter 66 of the Texas Utilites Code. I don't think the state should be able to control the franchise contracts of the individualmunicipalities. However, that is not my biggest complaint. It is the way a franchise fee due the cities is paid by the utility. It seems to me that the citizens of the municipalityare the real owners of the rights of way (ROW). Therefore the citizens should NOT be required to pay for the cable companies to use their (the citizens') ROW. The franchise fee for the right to use the ROW should be a cost of doing business.But the way the franchise fee system works in Texas is that the cable companies and the telephone companies are allowed to pass the franchise fees through to the using/subscribing citizens who pay to use the utilities services. This system is just plain ludicrous. The franchise fees should come from the coffers of the companies not the pocketbooks of the citizens who (in the name of the city) own the ROW. In your deliberations, please require the Communications utility companies such as the cableand telephone companies pay the municipality franchise fees out of their profits and don't allow them to pass the fee through to the citizens. And don't allow the various states to pass laws that allow this system either. Make the federal law override the state laws in this regard.You aren't going to have many Mayors that will see it this way nor the lobbyists that serve cities. That's because their only concern is that the cities continue to derive revenue.They don't see it as just another stealth tax on their own citizenry. This is one Mayor that has his citizens rights and concerns as his guiding principal.Respectfully submitted, Mayor Bill KashoutyHideaway, Texas

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Filing<BR>&lt;PROCEEDING&gt;

06-180<BR>&lt;DATE&gt; 01/20/2007<BR>&lt;NAME&gt; Bill

Kashouty<BR>&lt;ADDRESS1&gt; 558 Hide-A-Way Lane East

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TX<BR>&lt;ZIP&gt;

75771<BR>&lt;LAW-FIRM&gt;<BR>&lt;ATTORNEY&gt;<BR>&lt;FILE-NUMBER&gt;<BR>&

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CO<BR>&lt;PHONE-NUMBER&gt;

903-882-9854<BR>&lt;DESCRIPTION&gt;<BR>&lt;CONTACT-EMAIL&gt;

billk558@suddenlink.net<BR>&lt;TEXT&gt; Dear FCC:</DIV>

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